



**AGENDA - TROY PLANNING COMMISSION MEETING
WEDNESDAY, JANUARY 23, 2019, 3:30 P.M.
CITY HALL, SECOND FLOOR COUNCIL CHAMBERS**

1. Roll Call
2. Minutes - Jan. 9
3. Historic District Application, 210 S. Market Street, for a projecting sign
Owner: Market Street Management, LLC
Applicant: Behr Design, LLC - Kevin Behr
- Commission to make decision
4. Halifax Estates Section Five, Final Plat and Dedication of Right-of-Way
Plat is located east of Piqua-Troy Road and north of Troy-Urbana Road
Owner: Halifax Land Company, LLC
Applicant: Frank Harlow
- Commission to make recommendation to Council
5. Other

Note to Commission members:

If you will not be attending, please email or call Sue

January 9, 2019

A regular meeting of the Troy Planning Commission was held Wednesday, January 9, 2019, at 3:30 p.m. in Council Chambers, second floor, City Hall, with Vice-Chairman James McGarry presiding. Members Present: Beamish, Snee, Titterington, Wolke and Mahan; Zoning Inspectors Brandon and Watson; and Assistant Development Director Davis.

REORGANIZATION: Upon motion of Mr. Wolke, seconded by Mrs. Mahan, by unanimous roll call vote, Mr. Kappers was elected Chairman. Upon motion of Mr. Wolke, seconded by Mr. Titterington, by unanimous roll call vote, Mr. McGarry was elected Vice-Chairman.

The minutes of the December 12, 2018, meeting were approved.

HISTORIC DISTRICT APPLICATION, 5 E. MAIN STREET FOR SIGN FOR ReU JUICERY, OWNER - MATT ERWIN; APPLICANT - AMBER SOWERS. The staff report (attached to original minutes) noted: zoning is B-3, Central Business District; building is on the National Historic Register; applicant is to install signage on both windows with a smaller logo and hours on the entry door; total amount of signage requested is 15 square feet; building is permitted signage of a maximum of 29.25 square feet; sign material to be vinyl and consist on only one color – white; and staff recommends approved based on proposed sign will meet all City of Troy sign code requirements and will not detract from the historic integrity of the building. Samples were not provided.

A motion was made by Mayor Beamish, seconded by Mrs. Mahan, to approve the Historic District Application for 5 E. Main Street as submitted in the proposed material and color as provided in the application, and based on the findings of staff that:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign will not detract from the historic integrity of the building.

MOTION PASSED, UNANIMOUS VOTE

HISTORIC DISTRICT APPLICATION, 101 E. WATER STREET FOR FENCE MODIFICATIONS; OWNER/APPLICANT - KYLE THOMPSON. The staff report (attached to original minutes) noted: zoning is B-7, Multiple Family Residential District; building is not on the National Historic Register; applicant is proposing modifications to a previously installed fence that did not receive a permit, Commission approval and does not currently meet the Troy Zoning, Historic or Fence ordinances; proposed modifications are to correct the installed 6 foot privacy fence along the Walnut Street front yard; after multiple discussions with the applicant they are requesting approval to cut the 6 foot fence to the required 42 inches in height, remove every other board to be of open-style design, with a proposed finish stain of Royal Mahogany. Staff noted that this section of fence is the only modification being requested, the other existing fence sections on the property will remain the same. Staff recommended approval based on the proposed modifications to the fence will meet City of Troy requirements and the proposed modifications will not detract from the historic integrity of the building.

In response to Mr. Wolke, it was clarified that where this fence is placed is considered front yard and with the lot being a corner lot, can have the front fenced but not to the height installed. Regarding the "open style fence", it was stated that is a zoning code requirement for a front yard fence.

A motion was made by Mr. Titterington, seconded by Mrs. Snee, to approve the Historic District Application for the fence modifications at 101 E Water Street as submitted (cut the 6 foot fence to the required 42 inches in height, remove every other board to be of open-style design, with a proposed finish stain of Royal Mahogany), and based on the findings of staff that:

- The proposed modifications to the fence will meet City of Troy requirements; and
- The proposed modifications will not detract from the historic integrity of the building.

MOTION PASSED, UNANIMOUS VOTE

REZONING APPLICATION FOR 44 PETERS AVENUE (PARCEL D08-104346) FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO A PLANNED DEVELOPMENT; OWNER/APPLICANT - JASON MARKO (U-STOR-IT). Staff noted: property and business owner Jason Marko requests a zoning amendment for a Planned Development on 44 Peters Avenue (Parcel D08-104346), which consists of 1.117 acres and is located on the south side of

Peters Avenue; applicant's stated intention is to construct a second separate building of self-storage units; the M-2 zoning does not permit two principle structures so the owner has requested the rezoning to a Planned Development; surrounding area contains a mix of developed properties, Residential to the northwest, Commercial to the east and south, and Industrial uses to the west; if the PD is approved the M-2 zoning requirements would need to be followed. Details include:

PROPOSAL:

Layout: The layout includes the current existing building measuring 5,200 square feet of gross floor area located to the north portion of the property. The proposed development contains a new 30 ft. by 220 ft. building, for a total of 6,600 square feet, with vehicular access around the proposed building and additional paved area for outdoor storage to the south. There will be a green space in the southwest portion maintained for drainage and additional landscaping along the east and south property lines shown in Exhibit D-4.

Uses: The proposed use for the Planned Development will be for a self-storage facility with outdoor storage as permitted in the M-2 zoning district. Other uses may be allowed as permitted in the M-2 Light Industrial zoning district.

Parking: The development contains three parking spaces. The parking area currently has one driveway access onto Peters Avenue. The proposed parking area meets the zoning code requirements for the number of parking spaces.

Parks & Recreation Facilities: This planned development does not propose any common open space or recreational facilities.

Traffic: The developer provided that at other currently owned storage facilities that only 1-2 vehicles per week access the sites. Higher usage would generally be one per day.

Utilities: This development will be served by existing City water and sewer lines. The plan seeks to mitigate storm water control by utilizing the existing storm sewer system on the property by installing a new section of storm sewer line. Since the project is disturbing less than an acre there is no requirement for a detention basin.

Protective Covenants: Given this site is currently being used for the same use. The applicant doesn't have a need for any extra covenants or restrictions on the property. There are existing easements for the sewer and storm water utilities located on the property. Please see Exhibit D-6 for discussion of covenants, grants, easements and restrictions.

Modifications: There are no needed modifications from the Zoning code requirements for this development outside of the proposed two principle buildings on the lot.

Comprehensive Plan Compliance: The Troy Comprehensive Plan indicates the proposed area to be developed as commercial and industrial use according to the Future Land Use Map. The property is currently used as an industrial use and this expansion would be in compliance with the comprehensive plan.

GENERAL PLANS STANDARDS:

Section 1145.16 of the Zoning Code requires that Planning Commission review the proposed General Plan and may recommend the General Plan to City Council if it determines that the plan satisfies, at a minimum, all of the following criteria:

- (1) The General Plan should follow to the maximum extent practicable the Comprehensive Plan for the City, taking into account current facts and circumstances; **The Troy Comprehensive Plan states as an economic development goal to capture the ability for local businesses to expand. The Comprehensive plan has the area as existing industrial and commercial use.**
- (2) An exemption to conventional zoning is justified because the Comprehensive Plan for the City can be more faithfully and reliably implemented by the use of PD zoning; **the exemption to conventional zoning is justified. The Comprehensive plan promotes industrial development. The proposed PD will allow the expansion of an existing use and use of the remaining property.**
- (3) The General Plan is compatible with the location, topographic and other characteristics of the site and will bear a beneficial relationship with surrounding land uses in terms of noise, smoke, dust, debris, or other nuisances; **The Plan is compatible with these characteristics.**
- (4) The General Plan is carefully designed to support surrounding streets, utilities and other public improvements; **The Plan is designed to have minimal impact on the surrounding streets and utilities.**
- (5) The General Plan represents an efficient and economic use of the land in view of the community's need for a balance of land uses; **The property is currently utilized as an industrial property, for the permitted use of self-storage units. The expansion of an**

- existing use is in keeping with the ordinance and Comprehensive Plan.
- (6) All public streets, utilities and services necessary to carry out the General Plan are available to the site, or will be extended or improved by the developer and/or City in time to permit the development to be properly served; *The infrastructure is currently on-site and will be maintained by existing easements.*
 - (7) Exception from conventional zoning is warranted by design goals or other criteria and/or the need to provide a variety of development opportunities within the community; *An exemption is warranted from regular zoning. The PD proposes to provide the ability to expand the current permitted uses, while maintaining clear access to the utility infrastructure on the property.*
 - (8) The design of the development protects natural assets such as streams, wood lots, steep terrain, and other critical environments in the City; *Not applicable in this request.*
 - (9) Taken as a whole the development of the proposed PD will have a positive effect on the health, safety, and general welfare of the City; *The proposed PD will allow the continued use to be expanded and should have no negative impact on the health, safety or welfare of the City.*
 - (10) The General Plan appears capable of being implemented by a Final Development Plan which meets all requirements of this Section. *The General Plan is capable of implementation by a Final Development Plan.*

ZONING CODE:

In reviewing a rezoning proposal, Section 1139.07 outlines the criteria on which to base decisions:

- (A) *Whether the change in classification would be consistent with the intent and purpose of this Zoning Code.*
The rezoning would be consistent with the following sections of the Zoning Code:
 1131.02 (e) "To separate incompatible land uses and cluster compatible and mutually supportive land uses."
 1131.02 (g) "To provide for creatively designed single-use and mixed-use Planned Developments, and to preserve their character and vitality through ongoing regulatory supervision."
 1131.02 (k) "To facilitate the efficient and economical development and use of land and public facilities."
 1131.02 (q) "To promote the economic vitality of business and industry."
 (B) *Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions.*
No changes in the area have created this rezoning request.
 (C) *Whether the uses that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity.*
The proposed use of the property is compatible with the other uses in the immediate vicinity. The proposed use is the current and permitted use on the property.
 (D) *Whether adequate utility, sewer, and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on a property if it were reclassified.*
The proposed PD is currently served by City water and sewer. All other public services can be provided with the proposed rezoning.
 (E) *The amount of vacant land that currently has the same zoning classification as is proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances, in any, that make a substantial part of such vacant land unavailable for development.*
The property is surrounded by various developed property uses. This property does have existing storm water and sanitary sewer utility lines running through portions of the property which is the reason for the proposed PD.
 (F) *Whether the proposed amendment would correct an error in the application of this Zoning Code as applied to the subject property.*
Not applicable in this request.

Staff recommended the Commission not hold a public hearing and recommended approval based on the findings that:

- The proposed development is a permitted use for the current zoning designation;
- The site will conform to existing code requirements for the M-2 Light Industrial District.
- The proposed PD is needed to allow for the additional placement of a principle structure due to existing conditions on the property.

The applicant was present.

PUBLIC HEARING: A motion was made by Mr. Wolke, seconded by Mrs. Snee, that the Commission not hold a public hearing on the proposed rezoning of 44 Peters Avenue from M-2 to a PD.

MOTION PASSED UNANIMOUS VOTE

RECOMMENDATION: A motion was made by Mr. Titterington, seconded by Wolke, that the Troy Planning Commission recommends to Troy City Council that Parcel D08-104346 located at 44 Peters Avenue be rezoned from M-2, Light Industrial District, to an Industrial Planned Development as requested and based on the findings of staff that:

- The proposed development is a permitted use for the current zoning designation;
- The site will conform to existing code requirements for the M-2 Light Industrial District.
- The proposed PD is needed to allow for the additional placement of a principle structure due to existing conditions on the property.

MOTION PASSED, UNANIMOUS VOTE

PRELIMINARY PLAN FOR THE RESERVE AT WASHINGTON SUBDIVISION, LOCATED ON THE EAST SIDE OF WASHINGTON ROAD NEAR THE MCCURDY ROAD INTERSECTION; OWNER/APPLICANT – TROY LAND DEVELOPMENT, INC. BY JESSICA MINESINGER. Staff reported: this will be a new single-family subdivision along Washington Road, parcel D08-106502 (33.371 ac.); the land is currently undeveloped and is located on the east side of Washington Road near the McCurdy Road intersection and is controlled by Troy Land Development, Inc. (Jessica Minesinger); the development is zoned R-3, Single-Family Residential (minimum lot size of 15,000 square feet) and will be known as The Reserve at Washington; details are:

Uses & Layout: The proposed subdivision, which consists entirely of single-family homes, encompasses 23.371 acres and includes 50 buildable lots that range from .344 acres to .796 acres and will be developed in a two-phases. The first phase will create 26 lots and the second phase will create 24 lots.

Roadways: Access to this development will be provided by two separate points. The west access point off of Washington Road will serve as the main entrance to the proposed subdivision. The second access point, located to the east of the proposed development, connects to the existing road named New Castle Drive. The internal roadway system consists of two cul-de-sacs (Chapel Drive & West Minster Place) which stem off the main road named New Castle Drive and a horseshoe road that also connects to New Castle Drive named Chapel Drive East and Chapel Drive West. The City Engineer and Assistant Fire Chief have reviewed the street layout and have indicated they have no issues with the proposal.

Utilities: This development will be served by city water and sewer lines. The plan seeks to mitigate storm water control by utilizing a retention area located in the southeast portion of the development. Maintenance of storm water control facilities (including drainage swales) will be the responsibility of the Homeowners Association.

Parkland: The developer is not proposing to provide any parkland within the subdivision and received a positive recommendation from the Park Board to pay fees-in-lieu-of parkland, instead of providing the required 3% (1 acre) as required by the Subdivision Regulations.

Easements: A landscape easement has been provided along Washington Road to prevent properties from having direct access. A storm water easement is proposed along the north and east boundary of the development with the southern boundary line bordered by the floodway. Easement areas are the responsibility of the Homeowners Association.

Housing Values: The applicant has estimated the costs of the single-family homes to be valued around \$325,000 to \$400,000.

Staff recommended approval.

Mr. McGarry asked about the landscape easement and was advised that the HOA would maintain that and the stormwater easement. Mr.

Wolke asked about the main access, with staff advising that it would be off Washington and later connect to Fox Harbor.

A motion was made by Mayor Beamish, seconded by Mrs. Mahan, to approve the Preliminary Plan for The Reserve at Washington Subdivision as submitted.

MOTION PASSED, UNANIMOUS VOTE

There being no further business, the meeting adjourned at 3:51 p.m.

TO:	Troy Planning Commission
FROM:	Shannon Brandon
DATE:	January 23, 2019
SUBJECT:	Historic District Review: 210 S. Market St.
CASE #:	HR-03-19
OWNER:	Market Street Management, LLC
APPLICANT:	Behr Design, LLC – Kevin Behr

PROPOSAL:

Applicant, Kevin Behr, is requesting the Planning Commission to review a projecting sign at 210 S. Market St. The property is zoned B-3, Central Business District.

There is no OHI form for this property as this is a newly constructed, multi-tenant building within the downtown.

DISCUSSION:

The building is permitted to have a total of 75 square feet in signage. A total of 11.70 square feet of wall signage has previously been used, leaving a total of 63.30 square feet of signage available for use. The applicant is proposing to install a projecting sign on the front of the building measuring 8.34 total square feet. The sign is made of Poly HDU (high density urethane). The colors of the sign are Duranodic bronze and silver. The bracket holding the sign is made of steel. Samples will be provided at the meeting.

While this is a projecting sign, the sign does not project over the public right-of-way. As per the City of Troy Zoning code, an indemnification agreement, and certificate of insurance is on file with the City of Troy Development Department.

This application has been reviewed for compliance with all requirements of the zoning code except for the additional design standards imposed by the historic district regulations and has been found to comply with same.

RECOMMENDATION:

Staff recommends approval of the proposed sign, based on the following:

- The proposed sign will meet all City of Troy sign code requirements; and
- The proposed sign is similar in color to the previously approved signs, and outdoor lighting fixtures.

Planning Commission
Historic District Application

Revised 03/03/15

OFFICE USE ONLY

Date Filed: 1-9-19

Case #: HR-03-19

Date of Meeting:

1-23-19

CITY OF TROY PLANNING COMMISSION
APPLICATION FOR HISTORICAL TROY ARCHITECTURAL DISTRICT
(Must be typed or printed legibly)
(PLEASE READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM)

Date 12/20/18
Applicant Behr Design LLC Telephone No (937) 492-5704
Owner of Property Market Street Management LLC Has the Owner been Notified? Yes
Address of Project 210 S. Market St. Troy OH 45323
Contact Address (if different than Project Address) N/A
Name of Architect/Engineer and/or Contractor Level MB Construction

Application for renovation to include the following:

- | | |
|--|---|
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Repair |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Demolish - Principal Structure |
| <input type="checkbox"/> Moving A Building | <input type="checkbox"/> Demolish - Accessory Structure |
| <input type="checkbox"/> Painting | <input checked="" type="checkbox"/> Other: <u>Signage</u> |

ONE (1) COPY OF INFORMATION TO BE SUPPLIED BY APPLICANT:

- Site Plan drawn to scale shall be provided showing structure in question & its relationship to adjacent structures.
- Description of proposed use, if different than existing use.
- Plans illustrating the proposed structural or exterior changes, including changes in parking facilities, landscaping, screening, fences, signs and other relevant structures and fixtures, and relationship to surrounding structures.
- Description and samples of materials proposed to be used in the project.
- Paint samples for painting applications.
- Any other photographs or illustrative visual aids and/or materials relevant to the project.
- A written letter from the owner acknowledging the application, or a printed signature from the property owner on this form.

SIGNATURE OF APPLICANT:

Kevin M. Behr

SIGNATURE OF PROPERTY OWNER:

KATE LINS

PRINTED NAME OF PROPERTY OWNER:

PLANNING COMMISSION RESULTS (OFFICE USE ONLY):

APPLICATION FOR SIGN PERMIT

(A SEPARATE APPLICATION MUST BE FILED FOR EACH TYPE OF SIGN)

Address of Project: 210 S. Market St. Troy OH 45373

Name of Business: Upper Valley Hearing & Balance

Applicant Name: Behr Design LLC

Mailing Address: 114 E. Poplar St. Sidney OH 45365

Daytime Phone: (937) 492-5704

Email: Kbdr@behrdesign.com

Contractor Name: Behr Design LLC

Mailing Address: 114 E. Poplar St. Sidney OH 45365

Daytime Phone: (937) 492-5704

Property Owner Name: Market St. Management LLC

Mailing Address: 420 S. Market St. Troy OH 45373

Daytime Phone: (937) 216-1916

Are you a New Tenant? Yes ☒ No

Lot Frontage: 150'

Materials: Poly

Building Frontage: 50'

Building Setback: 20'

Number of Faces: 2

Top of New Sign from Grade: 15'

Manner of Fastening: Bracket & Bolt

Cost of Sign: \$ 685.00

Type of Proposed Sign (circle)

Free Standing
Wall
Roof
Other

Projecting
Marquee
Off-Site
Internal Illumination

Billboard
On-Site
Canopy/Awning
Reface Only

Actual Dimensions of Proposed Sign(s)

Quantity: 1 Length: 30" Width: Height: 20" Total Area: 4.2

Actual Dimensions of Similar Existing Sign(s) (if applicable)

Quantity: Length: Width: Height: Total Area:

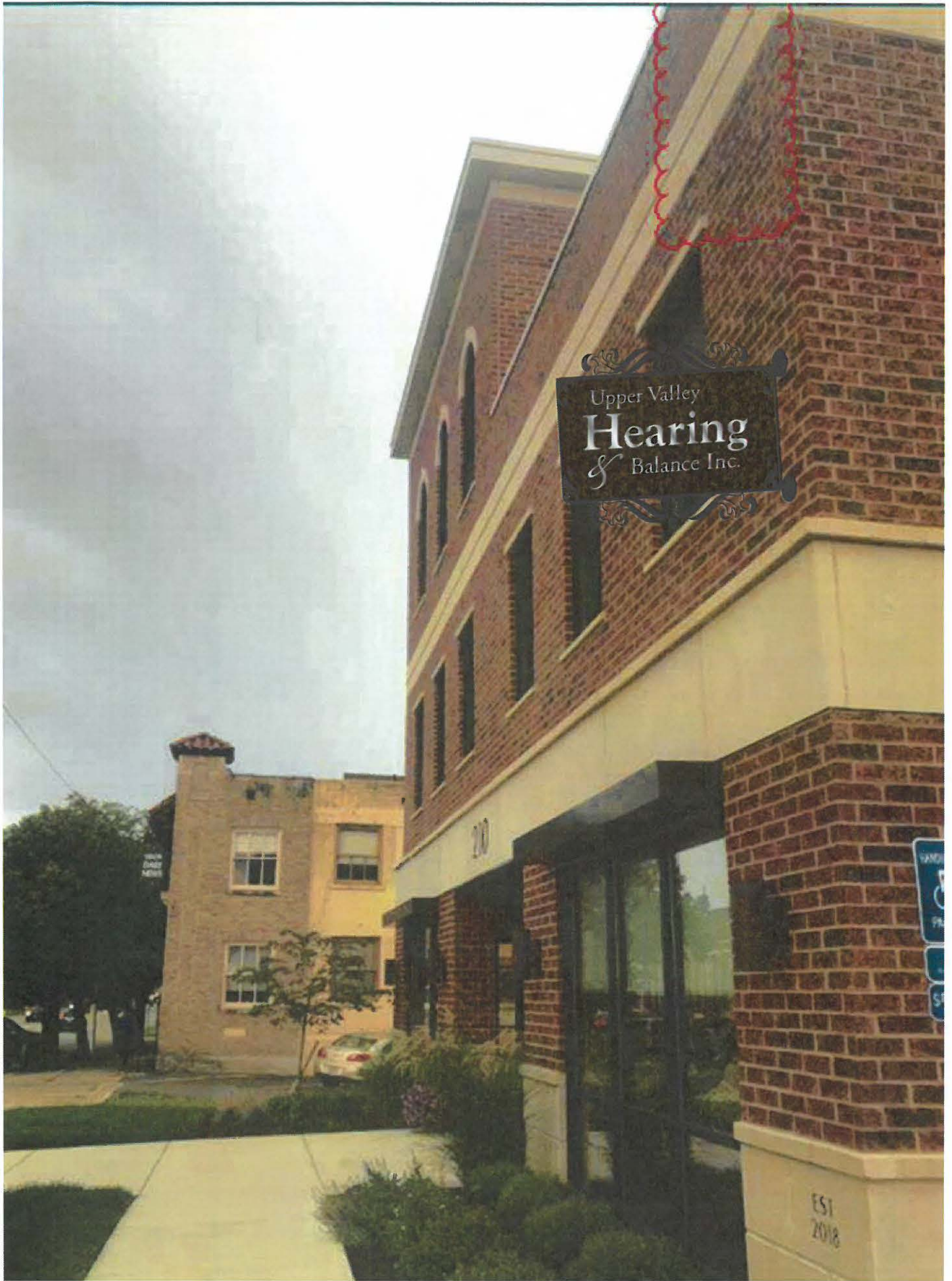
Sign Full Name *Processing time: 7-10 business days

By signing this application, I acknowledge that I am authorized by the owner to make this application. I agree to allow City of Troy employees to enter the property in order to complete necessary inspections. I agree to conform to all applicable laws of the City.

Signature: Karin M. Behr

Date: 12/21/18

Development Department
102 S. Market St.
Troy, OH 45373
Phone: (937) 339-9481
Fax: (937) 339-9341
www.troyohio.gov



Upper Valley
Hearing
& Balance Inc.

HANDICAPPED
PARKING
STREET

EST
2018

Upper Valley
Hearing
& Balance Inc.

TO:	Troy Planning Commission
FROM:	Planning Staff
DATE:	January 23, 2019
SUBJECT:	Halifax Section Five - Final Plat Review & Right-of-Way Dedication
OWNER:	Halifax Land Company, LLC
APPLICANT:	Frank Harlow

DISCUSSION:

In 2014, approval was granted for the Preliminary Plan for Halifax Estates. The applicant now requests the Planning Commission to review the Final Plat for Section Five. Attached to this report is a copy of the Final Plat for section five of the Halifax Subdivision.

PROPOSAL:

The applicant is seeking approval for the Final Plat of Halifax Estates Section Five. The details are as follows:

Development Area:

Section Five encompasses a total of 27.053 acres with 23 building lots.

Zoning:

The zoning of Section Five is R-1 Single-Family Residential which requires a minimum lot size of 40,000 square feet. The proposals indicate 23 buildable lots ranging from .920 acres (40,075 square feet) to 1.709 acres (74,444 square feet). There are eight lots located in the north portion of this development that are considered flood lots and are deeded with the connecting lots to the south. This is consistent with the approved general plan and exists in previous sections of this development.

Right-of-way:

The development of this section will dedicate 2.613 acres of public street Right-of-Way. The names of the roads in Section Five are Cole Harbor Drive, Sullivan Pond Court and Lacewood Court.

Parkland:

Fees-in-lieu-of have been accepted by the Planning Commission and Park Board for this development.

RECOMMENDATION:

Staff recommends that Planning Commission provide a positive recommendation to City Council to accept the proposed Final Plat and dedication of Right-of-Way as they are in general accordance with the approved preliminary plan.

DEDICATION

THE UNDERSIGNED, BEING THE OWNERS OF 27.053 ACRES OF LAND, BEING LOT NUMBERS _____ IN THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY ASSENT TO AND ADOPT THE ACCOMPANYING PLAT OF SUBDIVISION TO BE KNOWN AS HALIFAX ESTATES, SECTION 5, AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, AND DECLARE THE SAME TO BE FREE AND UNENCUMBERED.

UTILITY EASEMENT

UTILITY EASEMENT ARE PROVIDED FOR OTHER PUBLIC USES AS DESIGNATED AND SHALL BE USED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ELECTRIC, GAS, WATER, SEWERS, STORM WATER DRAINS, OPEN CHANNELS, CABLE TELEVISION, TELEPHONE AND FOR ANY PUBLIC OR QUASI-PUBLIC UTILITY OR FUNCTION, CONDUCTED, MAINTAINED OR PERFORMED BY ORDINARY METHODS BENEATH OR ABOVE THE SURFACE OF THE GROUND, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS LOTS TO AND FROM SAID EASEMENTS. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO (1) REDUCE THE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITY; OR (4) CREATE A HAZARD.

DRAINAGE NOTES

THE CITY OF TROY DOES NOT ACCEPT ANY DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE CITY OF TROY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENTS. THE OWNER OF THE LOT SHALL MAINTAIN THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT CONTINUOUSLY. MAINTENANCE OF ALL IMPROVEMENTS WITHIN THE DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE FOX HARBOR HOME OWNERS ASSOCIATION AS PROVIDED FOR IN THE DECLARATION AND IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF TROY ON FILE WITH THE CITY ENGINEER. WITHIN THE EASEMENT AREA, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR CHANGE THE DIRECTION OF THE WATER FLOW.

THE CITY OF TROY SHALL HAVE THE PERMANENT AND IRREVOCABLE RIGHT AND AUTHORITY TO INSPECT SUCH INTERIOR STREETS, ACCESS EASEMENTS, WATERWAYS, COMMON SPACES AND IMPROVEMENTS THEREON AS ARE DEVELOPED IN THIS SUBDIVISION.

THE CITY OF TROY SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY, TO ENTER UPON ANY LOT IN THE SUBDIVISION TO INSPECT AND MONITOR ANY STORM WATER DETENTION BASIN AREA OR DRAINAGE FACILITIES CONSTRUCTED IN THE SUBDIVISION. IN THE EVENT THAT THE FACILITIES ARE NOT PROPERLY CONSTRUCTED OR MAINTAINED, UPON THE FAILURE OF THE DEVELOPER, LOT OWNER, OR THE ASSOCIATION TO TAKE CORRECTIVE ACTION AFTER BEING DULY NOTIFIED IN WRITING BY THE CITY, THE CITY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION TO TAKE WHATEVER ACTION IS NECESSARY TO CORRECT ANY IMPROPER CONSTRUCTION OR TO MAINTAIN STORM WATER DETENTION BASINS AREAS AND DRAINAGE FACILITIES PROVIDED, HOWEVER, THAT THE DEVELOPER, LOT OWNER, AND/OR ASSOCIATION SHALL FIRST HAVE A REASONABLE PERIOD OF TIME, TAKING INTO ACCOUNT THE URGENCY OF THE MATTER, TO TAKE CORRECTIVE ACTION. ANY COST INCURRED BY THE CITY OF TROY FOR SUCH MAINTENANCE MAY BE ASSESSED TO THE ASSOCIATION OR, IF THERE IS NO ASSOCIATION, OR THE ASSOCIATION HAS CEASED TO EXIST, AGAINST INDIVIDUAL LOT OWNER. THESE RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BIND THE OWNERS, SUCCESSORS, AND ASSIGNS UNLESS AND UNTIL A MODIFICATION IS AGREED TO AND APPROVED BY THE COUNCIL OF THE CITY OF TROY.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

HALIFAX LAND COMPANY, LLC
FRANK D. HARLOW JR.
MANAGING MEMBER

LIEN HOLDER:

DAN HEITMEYER
MINSTER BANK

COUNTY OF MIAMI, STATE OF OHIO

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME THE OWNER, HALIFAX LAND CO., LLC, BY ITS MANAGING MEMBER, FRANK D. HARLOW JR. AND PERSONALLY CAME THE LIEN HOLDER, MINSTER BANK BY DAN HEITMEYER, AND EACH ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

COUNTY OF MIAMI, STATE OF OHIO

FRANK D. HARLOW JR., MANAGING MEMBER, HARBOR WEST LAND CO., LLC, BEING DULY SWORN THIS _____ DAY OF _____, 20____, SAY THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION HAVE UNITED IN ITS EXECUTION.

FRANK D. HARLOW JR., MANAGING MEMBER
HALIFAX LAND COMPANY, LLC.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR MIAMI COUNTY, OHIO
MY COMMISSION EXPIRES _____

HALIFAX ESTATES, SECTION 5

LOCATED IN

SECTION 7, TOWN 1, RANGE 11 M.R.s

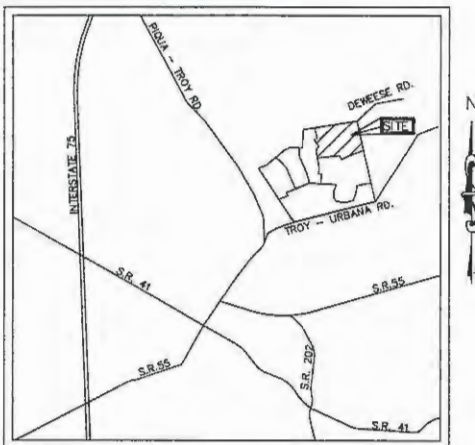
PART OF INLOT 9891

CITY OF TROY, MIAMI COUNTY, OHIO

27.053 ACRES

(24.440 ACRES - LOTS & 2.613 ACRES ROAD R/W)

JANUARY 9, 2019



VICINITY MAP
~NTS~

DESCRIPTION

BEING A SUBDIVISION CONTAINING A TOTAL OF 27.053 ACRES OF WHICH LIES WITHIN PART OF INLOT 9891 ACQUIRED BY HALIFAX LAND COMPANY, LLC BY 201508-11323. ALL DEEDS OF THE OFFICIAL RECORDS OF MIAMI COUNTY, OHIO.

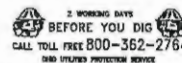
HOME OWNERS ASSOCIATION RESTRICTIONS

ALL OF THE LOTS IN THE SUBDIVISION ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE HALIFAX ESTATES HOME OWNERS ASSOCIATION, AS RECORDED IN 201508-07818 OF THE MIAMI COUNTY, OHIO RECORDER'S OFFICE. RESTRICTIONS CREATED IN THIS DECLARATION ARE INTENDED FOR THE BENEFIT OF AND ARE BINDING IN ALL LOTS IN THE SUBDIVISION.

ACREAGE BREAKDOWN

AREA IN LOTS	24.440 ACRES
AREA IN STREETS & R/W	2.613 ACRES
TOTAL	27.053 ACRES

DEVELOPER
HALIFAX LAND COMPANY, LLC.
701 NORTH MARKET STREET
TROY, OHIO 45373



VOLUME _____ PAGE _____
MIAMI COUNTY RECORDER'S RECORD OF PLATS

JESSICA A. LOPEZ, MIAMI COUNTY RECORDER

DEPUTY

FEE _____

TRANSFERRED ON THE _____ DAY OF _____, 20____.

MATTHEW W. GEARHARDT
AUDITOR, MIAMI COUNTY, OHIO

BY: DEPUTY AUDITOR

APPROVALS

WE, THE CITY COUNCIL FOR THE CITY OF TROY, MIAMI COUNTY, OHIO, DO HEREBY APPROVE AND ACCEPT THE DEDICATION OF LAND FOR THE STREETS AS SHOWN ON THIS PLAT OF HALIFAX ESTATES SECTION 5, ON THE _____ DAY OF _____, 20____.

THIS PLAT WAS REVIEWED AND APPROVED BY ORDINANCE No. _____

MAYOR

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF TROY, OHIO, HELD THE _____ DAY OF _____, 20____, THIS PLAT WAS REVIEWED AND APPROVED.

CHAIRPERSON

SECRETARY

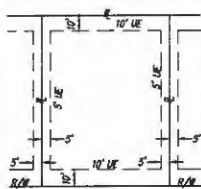
CERTIFICATION: I HEREBY CERTIFY THIS PLAT AND ALL MEASUREMENTS TO BE CORRECT. CURVED DISTANCES ARE MEASURED ALONG THE ARC. CAPED IRON PINS ARE SET PER OHIO ADMINISTRATIVE CODE AT ALL LOT CORNERS, LOT POINT OF TANGENCY, AND LOT POINT OF CURVATURE.

JOHN J. BRUMBAUGH
OHIO REGISTERED
PROFESSIONAL SURVEYOR #8218

HALIFAX ESTATES, SECTION 5, RECORD PLAT LOCATED IN THE
CITY OF TROY, MIAMI COUNTY, OHIO.

BRUMBAUGH
ENGINEERING &
SURVEYING, LLC

2270 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
(937) 698-3000
PAGE 1 OF 2



GRAPHIC SCALE IN FEET 1"=80'



THE BASIS OF BEARING IS THE OHIO STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD83 (CORS).

LEGEND

- 30" X 5/8" 00 IRON PIN (SET) WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
- 5/8" IRON PIN FOUND WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"

LD CONSTRUCTION DRAWINGS LOT NO.

SETBACKS:

FRONT YARDS: 50 FT., UNLESS OTHERWISE NOTED.
 REAR YARDS: 50 FT., UNLESS OTHERWISE NOTED.
 SIDE YARDS: 60 FT. TOTAL, UNLESS OTHERWISE NOTED.
 MIN: 25 FT.
 SETBACKS ARE TYPICAL UNLESS OTHERWISE NOTED.

HALIFAX ESTATES, SECTION 5
 LOCATED IN
 SECTION 7, TOWN 1, RANGE 11
 PART OF INLOT 9891 20150R-11323
 CITY OF TROY, MIAMI COUNTY, OHIO
 27.053 ACRES
 JANUARY 9, 2019

NOTES:

THE FLOOD PLAIN LOTS ARE NON-BUILDABLE AND CANNOT BE SOLD SEPARATELY FROM THE INLOT SOUTHERLY OF AND CONTIGUOUS WITH EACH FLOOD PLAIN LOT. A DRAINAGE EASEMENT SHALL EXIST OVER THE ENTIRETY OF THE FLOOD LOT.

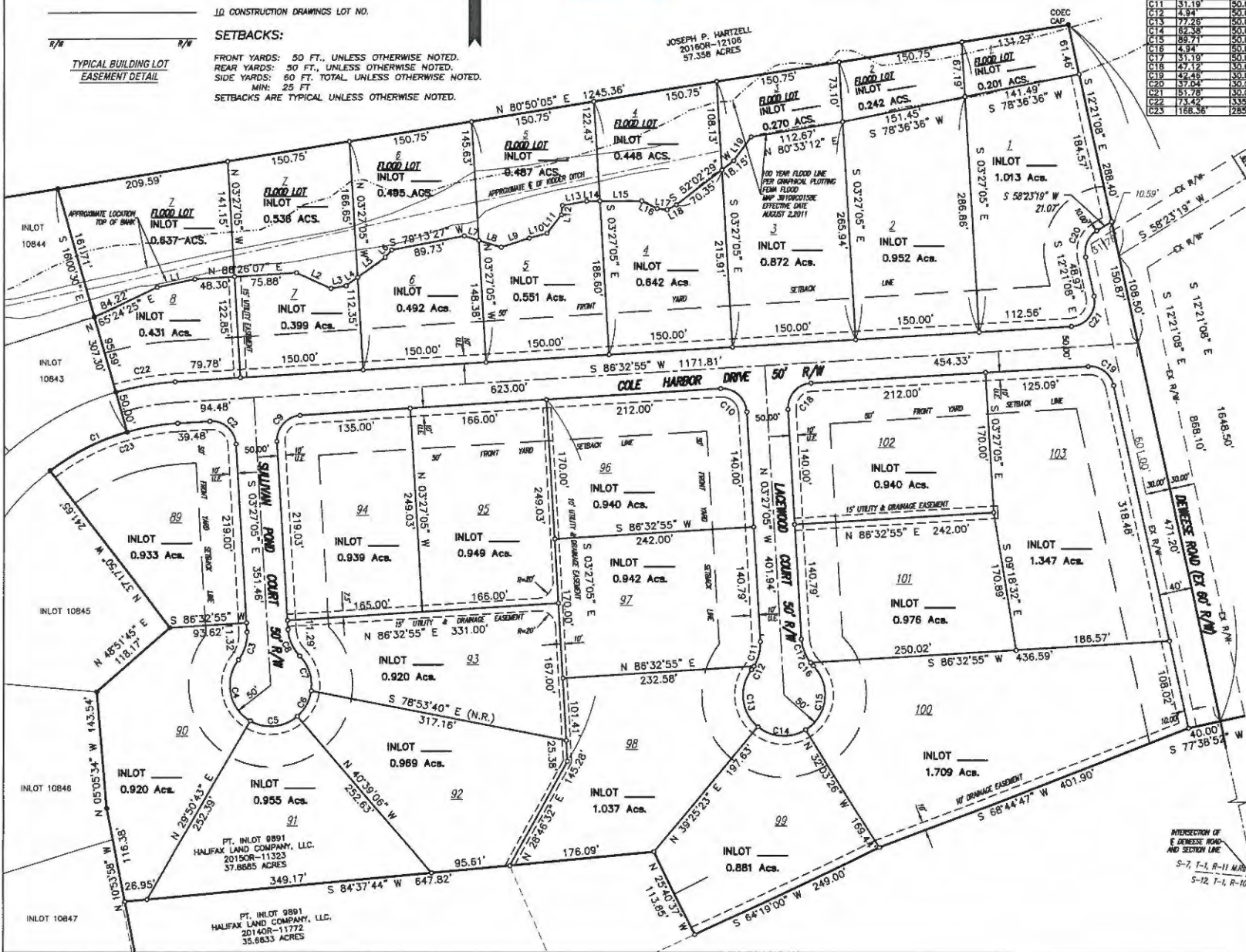
THERE IS A 5' UTILITY & DRAINAGE EASEMENT ON EACH INTERIOR LOT LINE, UNLESS OTHERWISE NOTED.

NO DRIVEWAYS SHALL BE PERMITTED ONTO DENESEE ROAD.

VOLUME _____ PAGE _____
 MIAMI COUNTY RECORDER'S RECORD OF PLATS

CURVE ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	105.87	285.00	N 82°30'50" E	105.29
C2	47.12	32.00	S 48°27'05" E	42.43
C3	38.14	50.00	N 41°24'35" E	35.36
C4	85.82	50.00	S 88°08'48" E	75.54
C5	81.52	50.00	N 70°29'50" E	57.71
C6	38.14	50.00	N 41°24'35" E	35.36
C7	48.05	50.00	S 48°27'05" E	44.44
C8	38.14	50.00	N 41°24'35" E	35.36
C9	47.12	50.00	S 48°27'05" E	42.43
C10	47.12	50.00	S 48°27'05" E	42.43
C11	31.19	50.00	S 48°27'05" E	30.68
C12	4.94	50.00	S 39°07'30" W	4.84
C13	77.28	50.00	S 88°32'07" E	69.80
C14	62.38	50.00	N 08°18'34" W	58.41
C15	89.71	50.00	S 08°32'27" W	78.15
C16	4.94	50.00	S 39°07'30" W	4.84
C17	51.19	50.00	S 52°23'19" W	50.69
C18	47.12	50.00	N 41°24'35" E	42.43
C19	42.46	50.00	S 52°23'19" W	39.01
C20	30.24	50.00	N 23°01'08" E	34.73
C21	51.78	50.00	S 37°05'53" E	45.59
C22	73.42	335.00	S 80°18'15" W	73.27
C23	168.36	285.00	N 89°37'33" E	165.92

LINE BEARING	DISTANCE
L1	N 77°53'23" E 47.08
L2	S 65°06'03" E 46.51
L3	S 88°14'13" W 18.86
L4	N 53°53'44" E 117.40
L5	N 53°53'44" E 141.87
L6	N 41°18'32" E 111.88
L7	S 72°51'22" E 16.50
L8	S 72°51'22" E 28.72
L9	N 71°58'26" E 35.86
L10	S 75°04'59" W 22.19
L11	N 38°39'32" E 28.17
L12	N 05°39'33" E 11.40
L13	S 78°44'13" W 30.10
L14	S 88°58'24" E 16.10
L15	N 88°58'24" E 50.78
L16	S 63°00'05" E 21.02
L17	S 82°52'28" E 12.03
L18	N 61°52'27" E 12.44
L19	N 35°57'32" E 36.22



HALIFAX ESTATES, SECTION 5, RECORD PLAN LOCATED IN THE CITY OF TROY, MIAMI COUNTY, OH.

BRUMBAUGH ENGINEERING & SURVEYING, LLC

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